

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHEASTERN DIVISION

Jay M. Hoffman,	)	
	)	
Plaintiff,	)	Case No. 3:11-cv-42
	)	
vs.	)	<b>ORDER ADOPTING</b>
	)	<b>REPORT AND RECOMMENDATION</b>
Social Security Administration	)	
Commissioner, Michael J. Astrue	)	
	)	
Defendant.	)	

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, recommending that both parties' motions for summary judgment be denied (Docs. #13 and 17), but that the plaintiff's motion for remand be granted (Doc. #22). Neither party has objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation, along with the entire record in this matter, and finds that the Magistrate Judge's position is correct. The Court adopts the Report and Recommendation in its entirety and **ORDERS** that both parties' motions for summary judgment are **DENIED**. It is **FURTHER ORDERED** that Jay M. Hoffman's motion for remand is **GRANTED**. This matter shall be remanded for further proceedings in accordance with this Order and the Magistrate Judge's Report and Recommendation.

**IT IS SO ORDERED.**

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 1st day of August, 2012     /s/ Ralph R. Erickson  
Ralph R. Erickson, District Judge  
United States District Court